

AMENDMENT TO THE DRAWING(S)

Figs.2-7, 9-10 and 13 have been amended. The attached sheets of formal drawings replace the original sheets including Figs.2-7, 9-10 and 13.

REMARKS/ARGUMENTS

Figs. 2-7, 9-10 and 13 are being replaced by new formal drawings to correct inadvertent typographical errors. In the original drawings, " $4/\lambda$ " was substituted for " $\lambda/4$ ". The correction is supported, e.g., by page 3, lines 7-24.

Claims 1-6 were rejected under 35 U.S.C. §112, para 2. The Examiner argued that because layer thicknesses were expressed in terms of a design wavelength, it was important to know the specific numerical design wavelength. However, it is submitted that the claims are definite for any given design wavelength. The invention is not limited to a specific numerical design wavelength. The invention of claim 1 is directed to a thickness relationship among the respective layer thickness. That is, some layers are $\geq \lambda/4$ while others are $\leq \lambda/4$ in thickness, for any value of λ . Nevertheless, to expedite allowance of this case claim 1 is being amended to recited that "a design wavelength λ for the thin membrane layers is 750 nm." Withdrawal of the 112 rejection is requested.

Claims 1-3 and 6 were rejected as either anticipated or obvious in view of Russell et al., U.S. Patent No. 6,391,400. The Examiner said that the thickness limits of claim 1 are shown in Russell. In the paragraph at column 23, lines 52-67, Russell says that layers are usually either just above or just below $\lambda/4$ in thickness. Claims 1-6 were also rejected as being either anticipated or obvious over JP '808. However, neither of the references discloses the claimed features.

The Office Action appears to be based on a misunderstanding of the claimed invention. Specifically, the Examiner says, in the Office Action, at page 5, last paragraph, "the prescribed layer is taken as arbitrary layer wherein the optical thickness goes from no more than $\lambda/4$ to an optical thickness of no less than $\lambda/4$ ". This understanding, however, is incomplete at best. Original claim 1 clearly indicates that the "prescribed layer" has an optical thickness of "no more than $\lambda/4$ ".

Neither U.S. Patent No. 6,391,400 B1 nor JP2000-314808A discloses the claimed feature. Even if the number of layers of the multilayer membranes disclosed in the references were increased or decreased, the references would not attain the claimed multilayer membrane. The

references do not disclose the structure as claimed, nor any reason to modify the prior structures to attain the features of claim 1.

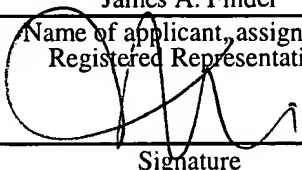
Further, the claimed invention is directed to a multilayer membrane for use in "solid imaging elements of an imaging apparatus", while U.S. Patent No. 6,391,400 B1 is related to a multilayer membrane for use in "glazing applications". So, the claimed invention is required to have effects and provide performance completely different from those made possible by U.S. Patent No. 6,391, 400 B1.

In fact, the multilayer membrane and the number of layers disclosed in U.S. Patent No. 6,391,400 B1 cannot attain a light permeability characteristic which decreases gradually as the light wavelength increases from 550 nm to 750 nm, as shown in Figs. 8, 11 and 14 of the present application, and claimed in claim 6.

As explained at pages 3-5, the infrared filter of claim 1 has significant advantages that were hitherto unknown to those working in the art. The cited art and indeed even the Office Action fail to suggest how or why a transformation of the cited art would result in the invention of claim 1. Allowance of claims 1-6 is therefore requested.

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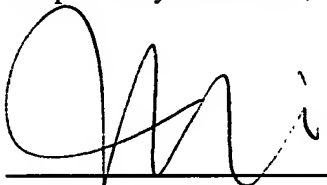
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Registered Representative


Signature
May 11, 2006

Date of Signature

Respectfully submitted,



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